

MAY 25 2006

ROBERT H. SHEWELL, CLERK  
BY uh  
DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

MICHAEL LEWIS GROSSIE

VS.

BURL CAIN, WARDEN

CIVIL ACTION NO. 05-1467-A

SECTION P

JUDGE DRELL

MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

**IT IS ORDERED** that Petitioner's Motion for Stay and Abeyance be **DENIED**.

**IT IS FURTHER ORDERED** that **CLAIM TWO** - Ineffective Assistance of Counsel for Failing to Subpoena Psychological Evaluations of the victim's mother, sister, and grandmother; **CLAIM FOUR** - Ineffective Assistance of Counsel Failure to Cross Examine and Impeach Witnesses; **CLAIM SIX** - Ineffective Assistance of Counsel - Failure to Recuse Trial Judge; **CLAIM SEVEN** - Ineffective Assistance of Counsel - Failure to Object to Trial Court's questioning of victim; and, **CLAIM NINE** - Ineffective Assistance of Counsel - Cumulative Errors be **DISMISSED WITH PREJUDICE** as unexhausted yet "technically exhausted" and procedurally defaulted.

**THUS DONE AND SIGNED**, in chambers, in Alexandria, Louisiana, on this 24<sup>th</sup> day of MAY, 2006.

  
DEE D. DRELL  
UNITED STATES DISTRICT JUDGE